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with which many distinguished men of science and letters are ready to accept supernatural interpretations of any phenomena of which, as yet, no satisfactory natural explanation can be given, in order to realize to what a deep and strong instinct supernaturalism appeals. To the earliest dawn of human life belonged the awakening of that instinct; we need not anticipate that it will disappear either suddenly or soon.

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THE RESTORATION OF ECONOMICS TO ETHICS.

DOROTHEA, the philanthropic heroine of "Middlemarch," complains of political economy as "the never-explained science thrust as an extinguisher over all her lights." This was in the reign of William IV.; but had she lived forty years later, she could still have repeated wellnigh the same complaint. For, at any rate in England, the efforts of Cairnes to restate, and of Jevons to revolutionize the orthodox political economy, had still left it with grounds and scope obscure, and with its general character neither human nor humane. But during the last quarter of a century, by a happy change, it has become to a great extent intelligible and ethical. Thus, for example, instead of a definition like Senior's, as the science which states the laws regulating the production and distribution of wealth, as far as they depend on the action of the human mind; Professor Marshall says it is "a study of man's actions in the ordinary business of life; it inquires how he gets his income and how he uses it." ("Principles of Economics," third edition, p. 1.) And we are told, "there is no truth in the common opinion that economics regards man as absorbed in a selfish pursuit of wealth." (*Ibid.*, p. 83.) Again, Professor Smart, the interpreter for English readers of the Austrian school of economists, justifies an ethical inquiry at the end of his "Studies in Economics," by the fact that "ethics and economics are now recognized to have such close relations." And the American Professor Hadley, who is above all suspicion of sentiment or soft money, writes, in his

recent interesting volume as follows: "No economist of reputation at the present day would attempt to ignore the ethical aspects of an institution, as might have been done fifty years ago. Instead of asserting the complete independence of economics and ethics, the modern economist . . . would insist on the close connection between the two sciences. He would say that nothing could be economically beneficial which was ethically bad, because such economic benefit could be only transitory. . . . The economist must understand the ethical bearings of the results which he discusses." ("Economics," p. 23.) Nor will the readers of this JOURNAL forget Professor Mackenzie's article (April, 1893) on the relation between ethics and economics, and the close connection therein affirmed between the moral and the economical.

Further citations are not necessary to show the general progress of economics in the ethical direction; for it will hardly be denied. But still there is much halting and hesitation, even occasional recalcitrancy; and there is, moreover, a distressing disinclination among economists to mark in plain colors their province or sphere of influence on the map of science. The object, therefore, of this paper is to throw a little more light on the matter, to suggest a little more consistency, and to express the modest hope that, having begun to amend our ways, we complete the happy reformation.

Of late there has been often heard in certain regions of philosophy the cry; back to Kant! Without discussing the wisdom of this exclamation, let us recognize that if we wish an intelligent view of the real scope and character of economics, we must in some manner exclaim, back!—back to the traditional view of the moral sciences from Aristotle through Cicero, through the Christian Fathers and the Scholastics, down to Grotius, and even in a certain sense down to Adam Smith. For be it well understood that the position of the so-called political economy as a waif and stray, with no proper place among the sciences, and with no one to put into plain English the character of the stranger, was comparatively a modern innovation. No wonder the new-comer, having obviously so little human about him, served to illustrate the Aristotelian

alternative ἡ θηρίον ἢ θεός; the second and favorable alternative being adopted by Bentham, Austin, and others who welcomed political economy as a new and heaven-born science come to illuminate the earth; whereas the other alternative was afterwards adopted by Carlyle and Mr. Ruskin, that its nature was bestial and its presence a disgrace. But in Adam Smith's view of things, such an unplaced and independent science, as what was later called political economy, did not exist. The intimate and almost inextricable union of political science with economics, and the dependence of both on ethics, seem taken for granted in "The Wealth of Nations;" and however imperfect was Adam Smith's system of moral philosophy, it at last had the merit of including within its limits inquiries into commerce and wealth, jurisprudence, and government.*

It is, therefore, no startling innovation that I am recommending, but only to renew a broken tradition, repair a breach of continuity, restore an interrupted harmony. And the scheme that is to offer a fitting home for economics is in brief as follows:

Defining moral philosophy as the science of the moral action of man, let us divide it, with an excellent authority,† into two parts: first, *general* moral philosophy unfolding the general theory of moral action, the notions and principles of the entire moral order; and, secondly, *particular* moral philosophy, applying the general theory to the concrete relations of men, and from the general notions and principles drawing conclusions for the actions of men in the various conditions of life. To put the matter in other words, the principal business of the general part is to determine what moral obligation is, or to fix what logicians call the *comprehension* of the idea *I ought*; while the business of the particular part is to consider what things are morally obligatory, or to determine the *extension* of the idea *I ought*.‡ The term ethics may be used

* See Dr. Bonar's "Philosophy and Political Economy," ch. viii.

† Victor Cathrein, "Moral Philosophie," 2^{te}. Aufl., 1893.

‡ Rev. Joseph Richaby, "Moral Philosophy," 2d edit., p. 2.

to mean exactly the same as moral philosophy, and we should, therefore, speak of *general ethics* and *particular ethics*. This use of terms seems simplest; but a distinction is often made between ethics and moral philosophy, the former being employed exclusively for the general part, while some other term, such as natural law, is employed for the particular part. Only, if we use the term natural law, we must be careful not to use it in the novel sense traceable to Pufendorf and Thomasius, who tried to separate from morality the notions of law and of legal rights and duties. And here I must interpolate an explanation, that just as a moderate home-rule is very different from a complete and insolent independence, so in science the separate study of separate parts is very different from making the parts independent of the whole. The accumulation of experience, the advance of historical research, the opening of new fields for the application of old principles, and the growing complexity of social life, may require, in order to reduce the subject-matter of science to the level of our faculties, that we increase the number of departments, that we narrow the range of our inquiries, and that we become each of us more or less of a specialist. So Grotius may be called in a certain sense the founder, in modern ages, of politics as a distinct science; and the Physiocrats and Adam Smith the founders of economics. And it is quite right and even necessary that the bulky science of particular ethics be broken up for the purposes of study into various divisions and subdivisions. Thus it is well, first of all, to divide natural theology on the one side from the social or political sciences on the other. Then these last require in one way or another to be divided, say, into the study of men as organized for supporting their lives, and as organized for supporting justice. The household being the chief institution for the one purpose, and the commonwealth for the other, the two branches of study can be called respectively economics and politics.* But politics requires further subdivision, say into political philosophy, or

* This view of economics is practically the same as Professor Marshall's already cited; for income is primarily connected with the family and the home.

the nature and constitution of states; general jurisprudence, or the science of law; international law, or the relations of separate states; and finance, or the science of public income and expenditure; this last science forming a link between politics and economics. Only let the reader take particular notice that the subdivisions and nomenclature of these sciences are matters of comparative unimportance;* whereas it is of primary importance to recognize that all of them belong to moral philosophy, that all live and move in an ethical atmosphere, that all have principally to do with what is right or wrong, and require the constant support of a sound system of general ethics.

Now to prove this point in the case of economics is the object of this paper. And I am fortunate in meeting, as the recognized authority for the opposed view, such a fair-minded and clear-headed writer as Mr. Keynes, the greater part of whose "Scope and Method of Political Economy" has my unqualified admiration. The issue, then, can be narrowed almost to a single point; and time and space can be saved by assuming that readers interested in this subject are acquainted with this standard work.

Herein, besides an art of political economy which seeks to formulate economic precepts, Mr. Keynes recognizes a science (one of the normative or regulative sciences) forming a branch of applied ethics, which may be called the ethics of political economy, and which seeks to determine economic ideals,—a science in which the general principles of social morality are considered in their special bearing on economic activities (pp. 36, 60).

* Sometimes the term political and social science is used to cover the whole field. Again, in Columbia College, New York, there is a faculty of political science, and separate courses of lectures (besides those on history) are given on (a) economics and social science, (b) constitutional and administrative law, (c) diplomacy and international law, (d) Roman law and comparative jurisprudence, and, finally (e), political philosophy. Mohl in his "Encyclopädie der Staatswissenschaften" makes nine component parts; and Schönberg in his "Handbuch der Politischen Oekonomie" makes political economy embrace finance and administration as well as economics. It is only a question of words and convenience.

So far, so good; but then he proceeds to affirm that the primary and main subdivision—economics in the stricter sense—does not seek to determine ideals, but is a positive science, concerned exclusively with the investigation of uniformities; being, like all such sciences, a body of systematized knowledge concerning what is. And he affirms that it is both possible and desirable to discuss economic uniformities independently of economic ideals, and without formulating economic precepts (pp. 31, 34, 36).

Now, even here, we are still partly in agreement. For using "economic" to mean whatever has reference to man's actions as bread-winners, house-holders, members of a family,* we *can* discuss many economic problems and study economic uniformities without introducing the delicate question of right and wrong. Indeed, ethical judgments would be highly out of place in a great deal of what I may call the *prolegomena* of economics, such as statistical data, the technical conditions of different industries, medical evidence, the relevant conclusions of physical science, and even in much of our historical enquiries, monographs of families, and other social observations and researches. We can, moreover, observe not a few uniformities and formulate certain "laws," without ethics to help us. But our knowledge will not be science, only an accumulation of *membra disjecta*, mere fragments, and not an ordered whole. No one has pointed out better than Mr. Keynes himself how absurd it is to suppose that "facts" will speak for themselves, that phenomena can be observed properly without a previous principle of observation, and how the proper selection of facts is all-important and most difficult. Now precisely in economics the principle of selection is in scholastic phrase the *totum bene vivere secundum domesticam conversationem*,—that in their private relations men should live a proper and rational life. What is relevant to this end is what we seek in the almost infinite array of facts; and though for a time we may appear to be far away from ethics, and only busy with

* Mr. Keynes's use of the word "economic" is narrower than this, and contains a reference to the exchange of goods (pp. 96, 97). But this does not affect the argument.

the phenomena of nature or with uniformities in human action, apart from their moral aspect, nevertheless all the while we are only collecting the proper materials for an ethical judgment.

But the plain reader may grow impatient with these criticisms; may say the proof of the pudding is in the eating, and that many excellent works of professedly non-ethical political economy disprove my contention.

I reply that profession is not practice, and make an appeal from their words to their performance. They cannot escape the necessity of the situation, and they violate, one and all, with shocking uniformity, the counsels of Mr. Keynes.

But this being a commercial age and country we must judge per sample; and it will be enough to examine in detail only one example, Professor Nicholson. For so distinguished an economist and writer will furnish me with an irresistible presumption, that if he, no more than his predecessors, cannot keep ethics out of political economy, no one else can.

Professor Nicholson then makes the accustomed profession that "for the purposes of this treatise political economy is regarded as a positive science, the object of which is to unfold principles, to discover uniformities, and to trace causal connections, and not to lay down precepts, set up ideals, or pronounce moral judgments." ("Principles of Political Economy," p. 16.) But scarce fifty pages have been passed when this profession is forgotten and Mr. Keynes disregarded. For we read (the italics being mine) of "philanthropic and *laudable* desire," "to require *equitably*," "equitably *entitled*" (pp. 77, 78). And many moral judgments follow,—what "will do most *good* to the public" (p. 85); "no economic *injustice*" (p. 128); "*vices* engendered by poverty . . . partly traced to *imprudence*;" "*duty* of supporting the parents;" "*moral obligation*" of relieving the old; "*good augury* that England has followed one more of the *counsels* of Adam Smith," and has made "education compulsory and free;" "*evil influence*" of the rigidity of codes; "it is not enough to *preach* or teach *dogmatic morality*, we *must* also show . . . that the conditions of life may be improved and happiness increased;" "the *worst abuses* of home life;" "*luxury* of early marriage" (pp. 190–193).

All this is in the book on "Production." If I tried to make a catalogue of the ethical pronouncements in the book on "Distribution," I should far outrun my limits, and must only select a few. Thus Professor Nicholson attributes to the state a "*right* . . . to undertake any expropriation whatever;" warns us of the state setting the example "of *robbery* and *plunder*" (p. 264); praises the "power for *good*" exercised by money against the "*clamour* of the Socialists" (p. 300); pronounces that "the sooner his (the Scottish laird's) estates are absorbed or divided, the *better* for the country" (p. 311); that "the *ideal* of a trade-union *ought* to be to make freedom of contract between labor and capital a reality" (p. 387); speaks of "*undue* power to the lender" (p. 396); says "the laborer is *worthy* of his hire, . . . the capitalist *deserves* something for his abstinence, risk, and trouble" (p. 403); tells us that "the *ethics* of ownership of land . . . is by no means so simple as the ethics of wages or even profits" (p. 404).

Now the point is not whether we agree with his many moral judgments, but that he makes them. Once or twice he seems to pull himself up, and says, "to return to the more strictly economic aspects of the question" (p. 194); "to revert to economic considerations" (p. 263). But if his view and Mr. Keynes's is the right one, why ever leave them? *Que diable allait-il faire dans cette galère?* I may exclaim, and ask him, If you don't lay down precepts, why condemn Mr. Gladstone's Irish land policy? If you don't set up ideals, why tell us what ought to be the ideal of trade-unions? If you don't pronounce moral judgments, why speak of justice, equity, and moral obligation?

In truth, Professor Nicholson has essayed the impossible; and his ability has only served to furnish a test case, proving the impossibility of a "positive" science of economics apart from the ethical science. Rightly, then, has Gustav Cohn warned us that we cannot in such a fashion separate *das Seiendes* from *das Seinsollendes* any more than the waters of a running stream. And a writer so opposed in other respects to the German historical school, the Duke of Argyle, so far resembles them in urging how the heart in this science is in-

separable from the head; how relevant and important for economics are notions closely connected with theology, such as the corruption of human nature; how we must take note of war and jurisprudence, of religion and morals; how to narrow the scope of economics is profoundly unscientific ("Unseen Foundations of Society," pp. 14, 28, 546, 563, 582.)

Nor be it forgotten that the political economy of the past, whatever it professed, was really steeped in ethics, and very raw and unwholesome ethics to boot. Let us hear Dr. Bonar: "The influence of utilitarianism, and especially of Bentham's utilitarianism, on political economy has been profound and enduring. It is certainly not by accident that nearly all leading English economists, and a large proportion of continental economists since his time, have been utilitarians when they have had any philosophy at all. This applies to Ricardo, James and John Mill, Say, Sadler, Destutt de Tracy, Jevons, Cairnes, and Sidgwick. Going back to economists before Bentham, we find the conjunction in Malthus, and earlier still in Beccaria and Verri." ("Philosophy and Political Economy," p. 218.) And he points out for us later on (*ibid.*, p. 385) the sweet harmonies of utilitarian and economic doctrine: "The predominance of self-interest in the sense of regard for material prosperity, both in abstract economics and in the utilitarianism of Bentham,—the political individualism of both the common assumption that human action is due to deliberate calculation, the common assumption of the boundlessness and indefinite expansion of human wants, the common use of a calculus of pains and pleasures, and the common assumption of the infallibility of the individual where the individual's interests are concerned."

Perhaps, after all, we may find that the strictures of Mr. Ruskin and Carlyle, of Kingsley and Toynbee on the older economists, were not so unfounded as some modern apologists would have us believe.

The name of Professor Sidgwick has been mentioned above, the writer who of all others has tried with infinite patience to take in hand the wild youth named Hedonism, to clothe him

decently, chasten his discourse, and make him presentable in good society. Now concerning the proper relations of ethics and economics, and the distinction of art and science, Professor Sidgwick may be, or may seem to be, in disagreement with me; yet he confirms me by his example. For the fact is undeniable that he has erected a whole connected structure of ethics, to which his treatises on political economy and on politics seem naturally to belong as subordinate parts. And if these sciences are really independent of ethics, it is a most singular coincidence that this leading ethical writer should have happened to have selected no indifferent and neutral subject, but precisely these two compromising departments of study for his literary pastime.

Professor Marshall is still nearer to the point of view urged in this paper; and his "Principles of Economics" is full of ethical judgments. But, hampered by unfortunate traditions not wholly cast off, he is ever and anon compelled to be obscure. Thus, in dealing with pleasures, desires, and motives, he makes the attempt to use neutral terms (pp. 75-79, 3d edit.); but, in fact, either his language implies utilitarian ethics or is unintelligible. And later, in dealing with the law of diminishing utility (pp. 168, 169), the words "benefit," "benefit-giving power," or "utility," are so used as to leave us in doubt whether they mean what is good for a man as a whole—what he calls subsequently (pp. 212-13) "true happiness," "true and worthy pleasures," and "true benefit"—or merely what satisfies man's desires, without discriminating whether what he desires is good for him as a rational being, or not good. Yet the distinction is fundamental. It is an ancient commonplace of the moralists to point out the perverse choice by man of the *bonum delectabile* instead of the *bonum honestum*, and to deplore the lamentable production and consumption of mischievous goods, the multiform incentives to ruin, the manifold apparatus of intoxication, gambling, and licentiousness. All parts of economics are affected by the progress and issue of such unhappy production and consumption,—by the presence of these *negative goods* so well named and well explained years ago by Mr. Ruskin in the

suggestive pages of his "Munera Pulveris." * Political economy is unintelligible without this distinction; and with it is ethical.

The conclusion, therefore, seems irresistible that economics must be included within the domain of moral philosophy; and I might utter a cheerful *quod erat demonstrandum*, and take my leave were there not an unhappy obstacle to the due acceptance of this conclusion. The obstacle is the survival of a belief in the existence of an abstract, theoretical, or pure political economy busy about the hypothetical doings of imaginary men: speculations which may be of service for exercise in mathematical problems, but for nothing else. Why this belief survives is a pathological inquiry that would be at present out of place; or to discuss whether it is an instance of that national weakness which Max Nordau indicates when he says, that an Englishman is content if he is supplied with measures and figures, and that he is conquered by an absurdity if it is accompanied by diagrams. ("Degeneration," p. 78.) Whatever the cause, these speculations exist, and in such a shape as to appear even to a logician like Mr. Keynes to form a genuine body of knowledge and to constitute a positive science. But if he looks closely he will see that they contradict his definition of such a science. For instead of contemplating what *is*, they contemplate what *is, not*; instead of examining *phenomena*,—that is, the appearances of things,—they examine mere notions; their "man" is not a real man, not an observed phenomenon, but an *individuum vagum*, a misty idea; and their "landlords," "laborers," and "capitalists" are mere creatures of the imagination. Let us take Mr. Keynes's own specimen of a doctrine belonging to a positive science,—viz., "that under a system of thorough-going competition, normal value is de-

* Thus, quite recently, Professor Pareto, of Lausanne, in his "Principes d'Economie Politique pure," has to distinguish *utilité*, with a wholesome ethical flavor, from *ophélimité*, the latter able to include impartially a church as well as a gambling-hell, home-brewed ale as well as spirits prepared for the African natives, loaves of bread as well as dynamite bombs; whatever, as Mill puts it, has "capacity to satisfy a desire or serve a purpose," without involving any further unpleasant questionings.

terminated by cost of production" (p. 61). He is, to begin with, in danger of being instantly non-suited by Professor Hadley, on the grounds of "value being essentially an ethical term." ("Economics," p. 92.) But letting this pass, and destroying by some fumigating process all ethical germs in the proposition, it is still of no use for "positive" science. "A system of thorough-going competition" is a mere notion, not a phenomenon; and is thus incapable of observation. "Normal value" again is exactly in the same plight; and "cost of production" is a vague and almost meaningless term apart from varying individual costs. So the proposition resolves itself into this, "that under a system which never has existed, something which never exists is determined by something indeterminate."

Nor let us admit as an apology the perpetual false analogy of the methods of the physical sciences; as though the complexity and changefulness in their subject-matter were like the complexity and changefulness of human actions, and one method would suit both; or as though, because in physical sciences allowance can be made for "disturbing causes," these being, in fact, of the same general character as all other physical causes; therefore, in the moral sciences we can suppose a vacuum, isolate the action of a particular force, such as covetousness, and then make allowance for sloth, treat patriotism as friction, introduce conscience as a disturbing cause. Or what profit is there in first creating a number of so-called economic terms, doctrines, and laws, which then require whole chapters of interpretation and limitation to make them tenable, when all the while we could have gone straight to the point without these superfluous deviations? They cannot help us to a rational intelligence of the concrete; and the time has indeed come to follow Professor Mackenzie's advice and think concretely on these matters.

The men of business themselves give us an example. Thus the chairman of the London and St. Katharine's Dock Company, addressing the last general meeting of the shareholders, takes credit to the directors for doing what?—for making large profits? for buying labor in the cheapest market?—not at all;

he could only announce a poor two and a quarter per cent. dividend on the capital stock. But he takes credit for "providing good terms of labor for those who work for us," for paying a "fair rate of wage," for providing a "fair pension." And his audience, unmindful of normal wages, demand and supply, or economic laws, greeted his remarks with applause. If the city conscience can thus be moved, it would be a sad scandal for the economic conscience to lag behind.

Finally, and as a matter of particular interest for this JOURNAL, it may be pointed out, that not merely would the science of economics be the gainer by having its place recognized among the moral sciences; but that the higher part of moral philosophy—namely, general ethics—would have also a share in the advantage. We all know how the presence of his children is a wholesome restraint upon a parent, involving a sense of responsibility and an obligation to give good example. Now economics can be looked on somewhat as an ingenuous youth, who, like other youths, is liable to contract low tastes, such as a desire to disregard contracts, to cancel debts, cut up ancestral parks, confiscate inheritances, appropriate accumulations. And general ethics can be looked on as the parent, who, with this young man's eyes upon him, must keep to a high standard of conduct. No doubt it may be a restraint not altogether pleasant for ethical writers to have their doctrines tested by their effect on economic theory and practice; not altogether pleasant to hear constantly the maxim, *By their fruits ye shall know them*; or to have carefully-packed and duly-despatched theories returned on their hands labelled, "Economically unworkable or economically mischievous, *ergo* untrue." And if the new article belongs to the new ethics which Mr. Lester F. Ward (in the July number of this JOURNAL) calls "warm, generous, sympathetic, and attractive," in contrast to the "cold, austere, ascetic, and forbidding" old ethics, the unpleasantness of such an ignominious return is all the greater. But a good tonic is often bitter; the very unpleasantness may serve as a measure of the wholesomeness of the treatment; and certain menacing diseases of the body politic suggest the pressing need, that our system of

general ethics be such as to furnish a solid foundation for our economics; and that our economics have an obvious and salutary bearing on the realities of the workshop and the home.

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THE RESPONSIBILITIES OF THE LAWYER.*

IT is a noticeable thing that the principles which determine the lawyer's duties and responsibilities are, in some important respects, unsettled. The essential character of his profession is not so fixed as to determine definitely his place in the social arrangements. What the physician stands for, or the clergyman, or the teacher, or the soldier, is pretty clearly agreed on, not to mention occupations of which the range is less wide. Each man in those callings has a tolerably definite place, specific things are expected of him, and he knows what they are. But the lawyer not only finds himself enlisted in very various and miscellaneous activities, which do not combine into a coherent whole, and which expose him to indefinite demands, but he discovers that there is an inherent uncertainty about the function which he has assumed.

The office of the advocate, old as it is, and so constitutional a part of the system of things that we cannot see how civilization could dispense with it, is still so indefinite in character, so loosely fitted in so large a place, that it is a matter of wide difference and dispute what the advocate must do, should do, or may do, in many situations—what society expects of him, what his client may require of him, what obligations morals impose on him.

The truth is that there is something essentially paradoxical in the advocate's position. He stands at the bar, in theory,

* A paper read before the American Bar Association, at its annual meeting at Saratoga Springs, N. Y., August 19, 1896.